



MEMO ENDORSED

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September 25, 2024

VIA ECF

Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square, Courtroom 906
New York, NY 10007

USDC SDNY
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Re: *Grullon v. Lewis, et al*
Case No. 1:24- cv-4892

Hon. Judge Caproni:

We are counsel for the defendants, Steven Lewis (“Lewis”), Galactic Records LLC (“Galactic”) and Giuseppe Zappala (“Zappala”) in the above-referenced action. We write pursuant to Rules 2(C) and 3(A) of Your Honor’s Individual Rules & Practices to respectfully request (i) an adjournment of the Initial Pretrial Conference currently scheduled for this Friday, September 27, 2024 at 10:00 am; and (ii) an extension of time to file a response to Plaintiffs’ Complaint [Dkt. No. 6] (the “Complaint”) from September 23, 2024, to October 7, 2024.

The undersigned was just retained this afternoon, and, as such, needs some time to get up to speed in this case in order to be able to meaningfully participate in the Initial Pretrial Conference. The undersigned is in the process of obtaining the files in this matter, but needs at least a short continuance to get up to speed. Additionally, the undersigned would like to meet and confer with opposing counsel regarding the proposed Case Management Order that was previously submitted, as the prior submission [Dkt. No. 26] did not include input from my Clients.

With respect to the response to the Complaint, pursuant to the Waivers of Service filed on August 9, 2024 [Dkt. Nos. 21-23], the current deadline for Galactic, Zappala and Lewis to respond to the Complaint was September 23, 2024. Galactic, Zappala and Lewis request a two-week extension of that deadline, so that if granted, Galactic, Zappala and Lewis’s response to the Complaint would be due on October 7, 2024.

This is Galactic, Zappala and Lewis’ first request for an extension of time to file a response to the Complaint as well as their first request to adjourn the Initial Pretrial Conference. However, a prior adjournment was granted on August 12, 2024 [Dkt. No. 25] based on the then current time for responses. The reason for this request, as noted in the letter, is that my Firm has just recently been retained today on this matter and needs some time to review the case file, get up to speed

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and to meet and confer with opposing counsel in order to agree on a proposed Case Management Plan.

Counsel for Plaintiff has consented to both of the above requests. Counsel for co-defendants UMG Recordings, Inc and Republic Records has also consented.

We are coordinating with counsel for Plaintiff and co-defendants counsel for alternative mutually available and intend to provide those to the Court as soon as we have them. However, in the interests time to ensure that this request is on file as soon as possible in advance of the conference scheduled for this Friday we are submitting this request now seeking that Friday's Initial Pretrial Conference be adjourned and that the parties submit alternate mutually available dates by Monday, September 30, 2024.

We greatly appreciate the Court's time and consideration, and should the Court need any additional information we are available at the Court's convenience.

Respectfully Submitted,

ADELMAN MATZ P.C.

A handwritten signature in black ink, appearing to be 'SM' with a colon, representing Sarah M. Matz.

Sarah M. Matz, Esq.

The initial pretrial conference scheduled for September 27, 2024, is ADJOURNED to **Friday, October 18, 2024, at 10:00 A.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. The parties must file a revised pre-conference joint letter and proposed case management plan not later than **Thursday, October 10, 2024**. In addition to all of the information requested in Paragraph 2 of the Notice of Initial Pretrial Conference (Dkt. 5), the joint letter must indicate the parties' plan to ensure compliance with NY CPLR § 1201, including whether a guardian ad litem needs to be appointed for Mr. Lewis.

The deadline for Galactic, Zappala and Lewis to answer or otherwise respond to the Complaint is ADJOURNED to **Monday, October 7, 2024**.

SO ORDERED.

 9/26/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE